

Serial No. 55152

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office AUG 03 1990 NEW PRIORITY DATE: OCT 19 1999

Returned to applicant for correction.

Corrected application filed. Map filed AUG 03 1990

The applicant Petro Source Corp.

136 East South Temple, #800 of Salt Lake City

Utah 84111 State and Zip Code No. City or Town

hereby make application for permission to change the point of diversion and place of use

Point of diversion, manner of use, and/or place of use Permit No. 49051 of water heretofore appropriated under Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

Identify right in Decree.

- The source of water is Underground Sources (Well No. 1)  
Name of stream, lake, underground spring or other source.
- The amount of water to be changed 0.5 cfs  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
- The water to be used for Industrial and Domestic  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water heretofore permitted for Industrial and Domestic  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water is to be diverted at the following point in the SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 24, T.9N., R.56E.,  
Describe as being within a 40-acre subdivision of public survey and by course and M.D.B.&M., whence the Southeast Corner of said Section 24 bears S. 38 $^{\circ}$  18' 52" distance to a section corner. If on unsurveyed land, it should be stated.  
E., 1,747.23 feet distant.
- The existing permitted point of diversion is located within the NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 24, T.9N., R.56E.,  
If point of diversion is not changed, do not answer.  
M.D.B.&M., whence the Southeast Corner of Section 25, T.9N., R.56E., M.D.B.&M.  
bears S. 7 $^{\circ}$  45' 00" E., 7,450.00 feet distant.
- Proposed place of use the E $\frac{1}{2}$  SE $\frac{1}{4}$  of Section 24, T.9N., R.56E., M.D.B.&M.  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
- Existing place of use the NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 24, T.9N., R.56E., M.D.B.&M.  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.
- Use will be from January 1st to December 31st of each year.  
Month and Day Month and Day
- Use was permitted from January 1st to December 31st of each year.  
Month and Day Month and Day
- Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) The water will be pumped through a 2" pipeline to a cooling tower.  
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc.
- Estimated cost of works \$20,000.00
- Estimated time required to construct works 6 months

14. Estimated time required to complete the application of water to beneficial use 2 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

This application to change the point of diversion is necessary because of a recent resurvey of the township which changed the section lines. The applicant proposes to use the water for their petroleum refinery facility. The water will be recycled within the cooling tower and the actual consumptive rate through evaporation and domestic use will be 20 g.p.m., 24 hours per day, 365 days per year for a total consumption of 10.512 million gallons.

By s/Richard W. Forman  
Richard W. Forman, Agent  
P.O. Box 150  
Ely, Nevada 89301  
Compared bc/ mv cl/cmg  
Protested 11/26/90 by: U.S. Department of the Interior National Park Service

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of the waters of an underground source as heretofore granted under Permit 49051 is issued subject to the terms and conditions imposed in said Permit 49051 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.5 cubic feet per second, but not to exceed 10.512 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before December 31, 1995  
Proof of completion of work shall be filed before January 31, 1996  
Application of water to beneficial use shall be made on or before December 31, 1996  
Proof of the application of water to beneficial use shall be filed on or before January 31, 1997  
Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed FEB 27 1997  
Proof of beneficial use filed  
Cultural map filed  
Certificate No. Issued

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.  
State Engineer of Nevada, have hereunto set my hand and the seal of my  
office, this 26th day of October

A.D. 19 95  
[Signature]  
State Engineer

CANCELLED SEP 14 1999 BECAUSE OF FAILURE  
OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT  
[Signature] STATE ENGINEER  
can rescinded 11-18-99